



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, MAY 5, 2003 – 2:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Frank Rose, Sunrise Chapel Sweedenborgian

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MAY5-03-261 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MAY5-03-262 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on today's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

6. CONSENT AGENDA – ITEMS A THROUGH K

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. LIQUOR LICENSE APPLICATIONS

- (a) Report from City Manager MAY05-03-264 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

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| (1) LIGHTHOUSE II
3073 N. Campbell Avenue
Applicant: Michael P. McNesby
City #019-03, located in Ward 3
Series #12
Action must be taken by: May 17, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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NOTE: State law provides that for a new license application, “In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

(c) Special Event(s)

- | | |
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| (1) TUCSON MUSEUM OF ART
140 N. Main
Applicant: Charlie E. Bodden
City #T036-03, located in Ward 1
Date of Event: May 30, 2003
(Members’ exhibition opening) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
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(d) Extension of Premise(s)

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| (1) RED LOBSTER RESTAURANT #369
5061 N. Oracle Road
Applicant: Maria T. Montei
City #EP19-03, located in Ward 3
Date of Event: May 11, 2003
Type: Temporary
Series: #12
(Mother's Day Event) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
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8. FINANCE: FIXING AND LEVYING THE 2004 PRIMARY AND SECONDARY PROPERTY TAXES

- (a) Report from City Manager MAY5-03-263 CITY-WIDE
- (b) Ordinance No. 9836 relating to taxation; fixing, levying, and assessing Primary and Secondary Property Taxes for the City of Tucson upon the assessed valuation of the property within the City of Tucson subject to taxation, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required in the annual budget, less the amounts estimated to be received from other sources of revenue and unencumbered balances from the previous fiscal year; providing funds for various purposes, all for the fiscal year ending June 30, 2004; and declaring an emergency.

9. ZONING: (C9-00-19) TUCSON MEDICAL CENTER - WILMOT ROAD, R-1 AND R-3 TO O-3, ORDINANCE ADOPTION

- (a) Report from City Manager MAY5-03-259 W6
- (b) Request to rezone property located at the northwest corner of Fifth Street and Wilmot Road, from R-1 and R-3 to O-3 zoning. The applicant is Dave Martin of AMEC Infrastructure, Inc.
- (c) Ordinance No. 9835 relating to zoning; amending zoning district boundaries in the area located at the northwest corner of Fifth Street and Wilmot Road in Case C9-00-19, Tucson Medical Center – Wilmot Road, R-1 and R-3 to O-3; and setting an effective date.

Two written approvals and two written protests have been received.

A simple majority will be necessary to adopt the ordinance.

10. TUCSON CODE: (CHAPTER 19) – AMENDING THE TUCSON CODE RELATING TO LIQUOR LICENSE APPLICATION FEES AND PROCESS

- (a) Report from City Manager MAY5-03-268 CITY-WIDE
- (b) Ordinance No. 9839 relating to licenses and privilege taxes; providing for full cost recovery of Liquor License Application Fees by amending the Tucson Code, Chapter 19, Licenses and privilege taxes, Article I, occupational license tax, Division 3, liquor and vending machine license tax, Section 19-53, applications; and declaring an emergency.
- (c) Resolution No. 19579 relating to liquor license applications; adopting guidelines for special event and extensions of premises applications; and designating the Zoning Examiner make recommendations regarding extensions of premises; and declaring an emergency.

11. FINANCE: TUCSON CONVENTION CENTER RENTAL RATES

- (a) Report from City Manager MAY5-03-260 CITY-WIDE
- (b) Resolution No. 19576 relating to the Tucson Convention Center; approving amendments to the Tucson Convention Center rules and regulations related to facility rental rates; allowing the Director of the Tucson Convention Center to set facility rental rates after June 30, 2004; and declaring an emergency.

12. TUCSON CODE: (CHAPTER 19) – IMPLEMENTING THE USE TAX PROVISIONS OF THE MODEL CITY TAX CODE

- (a) Report from City Manager MAY5-03-271 CITY-WIDE
- (b) Ordinance No. 9840 relating to Use Taxation; adopting the use tax provisions of the model city tax code; repealing Tucson Code §§19-601 and 602; and declaring an emergency.

The City Manager recommends the Mayor and Council approve the ordinance to become effective July 1, 2003.

13. TUCSON CODE: (CHAPTER 19) AMENDING THE TUCSON TRANSIENT OCCUPANCY TAX RATE (BED TAX)

- (a) Report from City Manager MAY5-03-269 CITY-WIDE
- (b) Ordinance No. 9838 relating to Occupational License Taxes; increasing the Transient Occupancy Tax by amending Section 19-66; and declaring an emergency.

The City Manager recommends the Mayor and Council approve the ordinance to become effective July 1, 2003.

14. MASTER OPERATING AGREEMENT: WITH THE METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM IN TUCSON

- (a) Report from City Manager MAY5-03-272 CITY-WIDE
- (b) Resolution No. 19581 relating to Metropolitan Tucson Convention and Visitors Bureau; authorizing and approving the execution of a Master Operating Agreement between the City of Tucson and the Metropolitan Tucson Convention and Visitors Bureau; and declaring an emergency.

15. WATER: ADOPTION OF WATER SYSTEM EQUITY FEE

- (a) Report from City Manager MAY5-03-274 CITY-WIDE & OUTSIDE CITY

Material for this item can be accessed on the City Website and in the City Clerk's office as soon as it becomes available.

16. MAYOR AND COUNCIL: POSITION REGARDING THE USA PATRIOT ACT

- (a) Report from City Manager MAY5-03-275 CITY-WIDE

Material for this item can be accessed on the City Website and in the City Clerk's office as soon as it becomes available.

17. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MAY5-03-267 CITY-WIDE

18. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

19. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 12, 2003, at 7:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.